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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: June 29, 2004 Name: John C. Freeman

Signature: *John C. Freeman*

BRINKS
HOFER
GILSON
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Wolfgang Holzapfel et al.

Appln. No.: 10/821,518

Filed: April 9, 2004

For: Scanning Unit For Position Measuring
Instrument For Optical Scanning Of A
Measuring Graduation

Examiner: Unassigned

Art Unit: Unassigned

Attorney Docket No: 56/429

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached are:

- ☒ Supplemental Information Disclosure Statement; Three (3) Cited References; and PTO 1449
- ☒ Return Receipt Postcard

Fee calculation:

- ☒ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(_____).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$9=			x \$18=	
Indep.		Minus			x 43=			x \$86=	
First Presentation of Multiple Dep. Claim					+\$145=			+\$290=	
					Total	\$		Total	\$

Fee payment:

- ☐ A check in the amount of \$_____ is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

June 29, 2004
Date: June 29, 2004

Respectfully submitted,

John C. Freeman
John C. Freeman (Reg. No. 34,483)



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Name of Registered Representative:

John C. Freeman

John C. Freeman, Reg. No. 34,483

June 29, 2004

Date of Signature

PATENT
CASE NO. 56/429

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Wolfgang Holzapfel et al.)	
)	Art Unit: unassigned
Serial No.: 10/821,518)	
)	Examiner: unassigned
Filed: April 9, 2004)	
)	
For: SCANNING UNIT FOR POSITION)	
MEASURING INSTRUMENT FOR)	
OPTICAL SCANNING OF A)	
MEASURING GRADUATION)	

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In compliance with Applicants' duty of disclosure under 37 C.F.R. § 1.56 and in conformance with 37 C.F.R. §§ 1.97-1.98, Applicants hereby submit the following references for consideration by the Examiner. Copies of the cited U.S. Patents and U.S. Patent Application Publications are not being supplied pursuant to the waiver of the rules presented in the U.S. Patent and Trademark Office Official Gazette Notice dated August 5, 2003. The other cited

references are being supplied along with a completed copy of Form PTO-1449.

I. DISCLOSURE

A. U.S. Patents

<u>Patent No.</u>	<u>Inventor</u>	<u>Issue Date</u>
5,251,012	Riegger et al.	10/05/93
5,822,125	Meyers	10/13/98
6,437,345 B1	Bruno-Raimondi et al.	08/20/02

B. U.S. Patent Application Publications

<u>Patent No.</u>	<u>Inventor</u>	<u>Issue Date</u>
US 2001/0024327 A1	Fujimoto et al.	09/27/01

C. Foreign Patents

<u>Reference No.</u>	<u>Country</u>	<u>Pub. Date</u>
0 470 420 A1	EP	02/12/92
197 55 565 A1	Germany	06/25/98
WO 02/084223 A1	WIPO	10/24/02

II. DISCUSSION

A. U.S. Patent No. 6,437,345

The '345 patent was cited as a Y-type reference in a Search Report for a corresponding European patent application. A Y-type reference is a document of particular relevance where the claimed invention is not considered to involve an inventive step when combined with one or more Y-type references.

B. U.S. Patent Application Publication No. 2001/024327

The '327 patent reference was cited as a Y-type reference in a Search Report for a corresponding European patent application.

C. European Reference No. 0 470 420

Based solely on the drawings and the attached English-language Abstract, the '420 reference is pertinent because it appears to disclose a code reader having adjacent parallel cylindrical lenses inserted between a code carrier and sensor. It is believed that U.S. Patent No. 5,251,012 corresponds to the '420 reference.

The '420 reference was cited as a Y-type reference in a Search Report for a corresponding European patent application.

D. German Reference No. 197 55 565

Based solely on the drawings and the attached English-language Abstract, the '565 reference is pertinent because it appears to disclose a lens system for a camera or camcorder that includes two arrays of lenses, each array including a plurality of abutting lenses with positive refracting power. It is believed that U.S. Patent No. 5,822,125 corresponds to the '565 reference.

The '565 reference was cited as a Y-type reference in a Search Report for a corresponding European patent application.

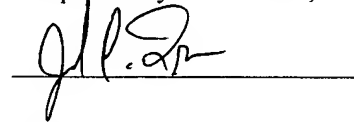
E. WIPO Reference No. 02/084223

The '223 reference was cited as an X-type reference in a Search Report for a corresponding European patent application. An X-type reference is a document of particular relevance where the claimed invention is not considered novel or is not considered to involve an inventive step when taken alone.

III. CONCLUSION

It is not believed that these references, alone or in combination, disclose or suggest the claimed invention. However, Applicants wish to make it clear that the disclosure of the above references is in no way an admission that they qualify as prior art. It is Applicants' desire, however, to have these references available in the record for both the Examiner and the public to see. Applicants therefore request that the Examiner review the entire disclosure of the references and make the above-listed references of record.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J.C. Freeman', is written over a horizontal line.

John C. Freeman
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Attorney for Applicants

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FORM PTO-1449	SERIAL NO. 10/821,518	CASE NO. 56/429
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE April 9, 2004	GROUP ART UNIT Unassigned
(use several sheets if necessary)		APPLICANT(S): Wolfgang Holzapfel et al.

REFERENCE DESIGNATION

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	B1	5,251,012	10/05/93	Riegger et al		
	B2	5,822,125	10/13/98	Meyers		
	B3	6,437,345 B1	08/20/02	Bruno-Raimondi et al.		
	B4	US 2001/0024327 A1	09/27/01	Fujimoto et al.		

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
	B5	0 470 420 A1	02/12/92	EP		Yes
	B6	197 55 565 A1	06/25/98	Germany		Yes
	B7	WO 02/084223 A1	10/24/02	WIPO		No

OTHER ART – NON PATENT LITERATURE DOCUMENTS

EXAMINER INITIAL	(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.